

SEVENTH DAY

(Continued)

(Friday, February 9, 1934)

The House met at 10 o'clock a. m., and was called to order by Speaker Stevenson.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Harman:

H. B. No. 35, A bill to be entitled "An Act making an appropriation of ten thousand dollars (\$10,000), to be used by the State Board of Water Engineers for assembling the necessary data and for necessary expenses incurred in presenting application of Brazos River Reclamation District before the Public Works Administration and the Department of Interior and the President of the United States, and for paying the existing indebtedness of said Reclamation District; and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Reed of Bowie:

H. B. No. 36, A bill to be entitled "An Act amending Chapter 241 of the Regular Session of the Forty-third Legislature, by amending Section 4 of said Act by providing that the registration fees to be paid by promoters of boxing and wrestling contests be increased; and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Tarwater, Mr. Alexander, and Mr. Moffett:

H. B. No. 37, A bill to be entitled "An Act defining oleomargarine and other terms used in Act; providing tax of four cents per pound on certain oleomargarines, for method of collecting tax, for certificates and reports to State Comptroller by wholesalers of taxable oleomargarine; providing for manner and time of payment of tax, for records of sales and inspection, for sticker tags and invoices, manner of shipment or delivery, and liability of dealers; giving State Comptroller authority to enforce Act and collect tax; etc."

Referred to Committee on Revenue and Taxation.

By Mr. Clayton, Mr. Alexander, Mr. Jackson, Mr. Hankamer, Mr. Daniel, Mr. Burns, Mr. Ford, Mr. Stovall, Mr. Hyder, and Mr. Harman:

H. B. No. 38, A bill to be entitled "An Act appropriating the sum of \$1,200 for each of the two years, beginning September 1, 1933, and September 1, 1934, to pay the traveling and living expenses of Justices of the several Courts of Civil Appeals in hearing oral arguments in transferred cases under the provisions of Chapter 151 of the General Laws of the State of Texas, passed at the Regular Session of the Forty-third Legislature; and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Burns:

H. B. No. 39, A bill to be entitled "An Act making an emergency appropriation of money for the Sam Houston State Teachers College at Huntsville, Texas, and the Penitentiary System, located at Huntsville, Texas; providing the purposes thereof, the means and manner of expenditure; and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Aikin, Mr. Canon, Mr. Barron, Mr. Weinert, and Mr. Morrison:

H. B. No. 40, A bill to be entitled "An Act amending Article 5517, Revised Civil Statutes of 1925, providing for limitation of ten years on delinquent taxes, and the cancellation of certain ad valorem taxes, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Laird and Mr. Parkhouse:

H. B. No. 41, A bill to be entitled "An Act to define license and regulate loan brokers in the amounts of five hundred dollars (\$500) or less; providing for a license fee; providing for the payment of said fee into the general fund of the county and into the General Revenue Fund of the State Treasury; providing that application for licenses shall be in writing under oath; providing for the appointment of an agent to accept service in suits; providing for service on county judges in certain cases; etc."

Referred to Committee on Judiciary.

By Mr. Griffith and Mr. Jefferson:

H. B. No. 42, A bill to be entitled "An Act providing for an appropriation to pay the necessary expenses incurred by the previous passage of the resolution passed at this Special Session whereby the Secretary of State was instructed to dispose of or burn the unnecessary voluminous records that have been accumulated from time to time within the Department of the Secretary of State, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Long:

H. B. No. 43, A bill to be entitled "An Act amending Article 6032, Title 102, Revised Civil Statutes of 1925, as amended by Chapter 26, Acts Forty-second Legislature, First Called Session, and Chapter 162, Acts Forty-third Legislature; appropriating the proceeds of the tax derived by the provisions of Article 6032 to the Railroad Commission of Texas for the enforcement of the oil and gas laws of this State, etc."

Referred to Committee on Revenue and Taxation.

GRANTING PERMISSION TO SUE THE STATE

Mr. Hankamer offered the following resolution:

H. C. R. No. 18, Granting W. D. Malone permission to sue the State.

Whereas, W. D. Malone, a resident of El Paso County, Texas, and B. Dreyer, a resident of El Paso County, Texas, have heretofore instituted suits against the County of El Paso in the Sixty-fifth Judicial District Court of El Paso County, Texas, and said suits are now pending therein; and

Whereas, It is alleged that the said W. D. Malone and B. Dreyer are the owners in fee simple of certain lands located in El Paso County, Texas, about one and one-half miles east from Tornillo, between the foothills and the State highway, on which they live and reside, and which they cultivate; and that previous to the year 1930, the County of El Paso, charged with the duty of laying out, constructing, maintaining, and improving public roads throughout their county, including the State highway running from the City of El Paso going eastward through Ysleta, Clint, Fabens, Tornillo, Fort Hancock, etc., contracted for, and proceeded, without

the consent of the said W. D. Malone and B. Dreyer, with the improving of said highway in the vicinity of and adjacent to the properties owned by them; this was done without legal condemnation proceedings, and said improvements consisted of raising the height of the highway, and, over the protest of the said W. D. Malone and B. Dreyer, eliminated the existing bridges and culverts at several low points through the road, which had theretofore allowed the surface waters to pass under the road and prevented the same from accumulating upon the lands of said W. D. Malone and B. Dreyer in their natural flow; during the month of June, 1930, W. D. Malone had planted on his lands approximately seventy-five acres in cotton, and was assured of approximately a bale to the acre, and he had said cotton sold for sixteen cents per pound; and the said B. Dreyer had planted on his lands approximately sixteen acres of alfalfa and thirty acres of cotton which was then growing, and he was assured at least one bale to the acre; thereupon during said month the surface waters came down upon their lands and backed up thereon and flooded the same and destroyed their crops; and during the year 1931 the same thing happened; said surface waters remained upon said lands for a period of approximately thirty days, permanently damaging the same. The County of El Paso is making the contention in said suits that the State of Texas is liable, and not the County of El Paso, for the compensation due to the plaintiffs for the taking of said lands and crops; and

Whereas, At the time the grade of the State highway was changed and the culverts taken out, said highway was then under the control and supervision of the State Highway Department, said highway being known and designated at that time as a State highway; and

Whereas, The said W. D. Malone and B. Dreyer have never been compensated for their said damages; and

Whereas, It is desired that the entire matter be litigated and the liability determined in one suit; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the said W. D. Malone and B. Dreyer, their heirs, executors and administrators be, and they are hereby, granted permission to bring suit

against the State of Texas and against the Highway Commission of Texas, and to make the State of Texas and the Highway Commission of Texas parties to said suit in the county in which said suit is now pending against the County of El Paso, in El Paso County, Texas, in order to ascertain, fix, and award the amount of money, if any, the said W. D. Malone and B. Dreyer, their heirs, executors and administrators are entitled to receive from the State of Texas and the Highway Commission of Texas as compensation by reason of said injury and resulting damages to their property, and in the event it should be adjudicated that the State of Texas and the Highway Commission of Texas are liable for said injury and resulting damages to their said property; and service of citation or other necessary process shall be had upon the Governor of the State of Texas, the Chairman of the Highway Commission of Texas, and the Attorney General of Texas, and that the same have the same force and effect as made and provided in civil cases; and provided that any of the parties to said suit shall have the right to appeal without the execution of bond; and any judgment that may be finally established against the State of Texas and the Highway Commission of Texas in said suit shall be a liquidated debt, and shall be paid by the Highway Commission of Texas out of the State Highway Funds.

HANKAMER,
CLAYTON,
JACKSON.

The resolution was read second time.

On motion of Mr. Hankamer, the resolution was referred to the Committee on State Affairs.

GRANTING CERTAIN DISTRICT JUDGES PERMISSION TO LEAVE THE STATE

The Speaker laid before the House, for consideration at this time,

S. C. R. No. 11, Granting certain district judges permission to leave the State.

Be it resolved by the Senate of the State of Texas, the House of Representatives concurring, That the honorable district judges of each and all of the several criminal district courts of the State of Texas be, and they, and each of them, are hereby granted permission to be absent from the State of Texas at such intervals and

for such time as they see fit and desire, while their respective courts are in vacation, during 1934 and 1935.

The resolution was read second time, and was adopted.

RELATIVE TO PAYMENT OF APPROPRIATION TO VALLEY CONSERVATION AND RECLAMATION DISTRICT

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 12, Relating to payment of appropriation to Valley Conservation and Reclamation District.

Whereas, By Chapter 68, Acts of the First Called Session of the Forty-third Legislature, being Senate Bill No. 69, there was created Valley Conservation and Reclamation District, embracing all the lands within the boundaries of Cameron, Hidalgo, and Willacy Counties, Texas, for the purpose of the drainage of its overflowed lands and other lands needing drainage; and

Whereas, Said Valley Conservation and Reclamation District was in said Act declared to be a governmental agency and body politic, with all the powers, rights, and duties granted to and/or imposed upon drainage districts under existing laws of the State of Texas, with reference to such districts and with such other powers as are now, or may be hereafter, conferred upon similar districts; said district especially authorized and empowered to negotiate for and receive donations and grants of money and/or services or other aid from the Government of the United States and/or of the State of Texas, and/or any of the agencies, departments or instrumentalities thereof, and to apply all such moneys, services, and aid to the carrying out of the purposes for which said district is created; to enter into contracts with the United States, and/or the State of Texas, and/or any department, agency or instrumentality thereof; and

Whereas, Section 6 of said Act appropriated the sum of \$15,000 out of the General Funds, not otherwise appropriated, to be paid to said district, to be used in connection with the organization of said district, defraying the expenses of making engineering surveys, plans, and specifications, for the compilation of other necessary data, etc.; and

Whereas, In making said appropria-

tion the Legislature intended that the \$15,000 should be at once paid over to said district, to be expended by it, and to express such intention, declared in said Act, "and there shall be paid to said district the sum of \$15,000"; and

Whereas, The Comptroller is uncertain from the language in said Act whether he is authorized to at once pay over to said district the entire appropriation, and said district having no funds other than said appropriation without power to create debt, and being called on to advance railroad transportation and expenses of drainage engineers connected with the United States Department of Agriculture from as far as Boise, Idaho, and other extraordinary expenses in connection with accumulating data for the drainage of its lands; and the Comptroller being unable to advance such expense unless said appropriation is at once paid over to said district it will be unable to function and carry out the purposes for which it was created; therefore,

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That it is and was the intention of the Legislature of the State of Texas, in establishing said Valley Conservation and Reclamation District, and appropriating \$15,000, for, and to be paid to said district, that said appropriation should be at once, and in its entirety, paid over to said district, to be expended by it in carrying out the purposes for which it was established; and

Resolved, That the Comptroller is hereby authorized and directed to issue, and the State Treasurer to pay, a warrant in the sum of \$15,000, the amount of said appropriation, to said Valley Conservation and Reclamation District, to be expended by said district in accordance with this Act.

Signed—Senators Purl, Cousins, Neal, Small, Blackert, Murphy, Russek, Hopkins, Pace, Beck, Regan, Hornsby, Parr, Patton, Redditt, Stone, Greer, Woodward, Deberry, Woodul, Duggan, Sanderford, Martin, Moore.

The resolution was read second time.

Mr. Alsop raised a point of order on further consideration of the resolution, on the ground that the resolution seeks to amend an existing law.

The Speaker overruled the point of order.

The resolution was adopted.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, February 9, 1934.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted

H. C. R. No. 19, Providing for a Joint Session of the House and Senate to hear Hon. Deloss Walker, Director of the National Recovery Campaign, on Friday, February 9, 1934, at 11:10 a. m. o'clock;

Refused to pass House Joint Resolution No. 1 by the following vote: Yeas, 11; nays, 17.

Respectfully,

BOB BARKER,
Secretary of the Senate.

RESOLUTION SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof and its caption had been read, the following enrolled resolution:

H. C. R. No. 19, Inviting Hon. Deloss Walker to address a Joint Session of the House and Senate.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, February 9, 1934.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted

H. C. R. No. 1, Granting to Maney and Alley, contractors, of Tarrant County, Texas, permission to sue the State of Texas;

H. C. R. No. 4, Granting O. B. Hamilton, of Red River County, Texas, permission to sue the State;

H. C. R. No. 9, Requesting Post Office Department to issue stamps of certain designs;

H. C. R. No. 11, To grant Sam Tobolowsky and James A. Gripeotis permission to sue the State;

H. C. R. No. 14, Granting N. W. Buchanan permission to sue the State;

H. C. R. No. 16, Granting Jack Williams permission to sue the State.

Respectfully,

BOB BARKER,
Secretary of the Senate.

ADDRESS BY HON. DELOSS
WALKER

(In Joint Session)

In accordance with the provisions of a concurrent resolution heretofore adopted, providing for a Joint Session of the House and Senate, to hear an address by Hon. Deloss Walker, the Honorable Senate, at 11:10 o'clock a. m., escorted by Hon. Bob Barker, Secretary of the Senate, and A. W. Holt, Sergeant-at-Arms of the Senate, appeared at the bar of the House, and being admitted, were escorted to seats in the Hall.

Senator Frank H. Rawlins, President Pro Tempore of the Senate, occupied a seat on the Speaker's stand.

Hon. Deloss Walker was escorted to a seat on the Speaker's stand.

Speaker Stevenson called the House to order.

Senator Frank Rawlins, President Pro Tempore of the Senate, called the Senate to order.

Speaker Stevenson presented Hon. A. W. Griffith, who in turn introduced Hon. Deloss Walker.

Mr. Walker then addressed the Joint Session.

SENATE RETIRES

(At the conclusion of the address, the Senate retired to its Chamber.)

HOUSE BILL NO. 13 ON PASSAGE
TO ENGROSSMENT

The Speaker laid before the House, as pending business, on its passage to engrossment,

H. B. No. 13, A bill to be entitled "An Act providing for the issuance of State relief bonds, to be designated as 'Texas Relief Bonds—Second Series,' in the sum of ten million dollars (\$10,000,000), under Section 51-a, Article III, of the Constitution of the State of Texas; providing the terms and the denominations and interest of such bonds, and the manner of signing and registering same, and the sources from which said bonds and the interest thereon shall be paid, and exempting same from taxation; etc.";

The bill having heretofore been read second time.

Mr. Dunagan offered the following amendment to the bill:

Amend House Bill No. 13, Section 6, by striking out all after the word "fund," in line 6, page 7 through and

including line 14, page 7, and insert in lieu thereof the following:

"A tax of ten per cent (10%) is hereby levied upon all money wagered or contributed on horse races, under the provisions of Chapter 10, Acts of the First Called Session of the Forty-third Legislature. The Comptroller of Public Accounts is directed, and is hereby authorized, to employ a sufficient number of deputies to check the amounts wagered on horse races under the provisions of said Chapter 10, and to collect the ten per cent (10%) tax upon such funds assessed. The Comptroller of Public Accounts shall deposit one per cent (1%) of the tax collected to the credit of the Comptroller of Public Accounts with the State Treasurer, such fund to be used to administer the duties of said Comptroller under this Act, and the balance after deducting the expenses incident to the collection of the tax hereby levied, shall be deposited to the credit of the Texas Relief Bond Sinking Fund. Said amounts so collected shall be in addition to the other funds herein provided for the retirement of the relief bonds under this Act.

"It is further provided that the tax hereby levied upon the money wagered under the provisions of Chapter 10, Acts of the First Called Session of the Forty-third Legislature, shall be in addition to the taxes provided in said Chapter.

"Said Texas Relief Bond Sinking Fund shall be kept by said State Treasurer as a special fund, out of which the interest of said bonds shall be paid, and out of which said bonds shall be redeemed, and the same is hereby appropriated for the purpose of paying the interest and principal of the bonds authorized by this Act, it being the intention of the Legislature to set apart and preserve an adequate fund to pay off and discharge the principal and interest of said obligation as and when the same becomes due and payable."

Signed—Dunagan, James, Canon, Burns, Daniel, Duvall, Parkhouse, and Reed of Bowie.

Mr. Van Zandt raised the points of order, on further consideration of the amendment, on the ground that it seeks to amend a section that has already been taken out of the bill, and that the amendment is not germane to the bill.

The Speaker sustained the points of order.

Mr. Dunagan moved that Section 7 of Rule XX, of the House Rules, be suspended for the purpose of considering the amendment.

Question—Shall the Rule be suspended?

RECESS

Mr. Mathis moved that the House adjourn until 10 o'clock a. m., next Monday.

Mr. Dunagan moved that the House recess to 2 o'clock p. m., today.

The motion of Mr. Dunagan prevailed, and the House, accordingly, at 12 o'clock m., took recess to 2 o'clock p. m., today.

AFTERNOON SESSION

The House met at 2 o'clock p. m., and was called to order by the Speaker.

ADOPTION OF CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 6

The Speaker laid before the House, for consideration at this time, the conference committee report on House Bill No. 6,

The report having been submitted to the House on yesterday and printed in the Journal.

On motion of Mr. Morse, the report was adopted by the following vote:

Yeas—117

Adamson.	Duvall.
Aikin.	Dwyer.
Alexander.	Engelhard.
Alsup.	Fain.
Atchison.	Fuchs.
Barrett.	Glass.
Barron.	Golson.
Bergman.	Good.
Bourne.	Goodman.
Bradley.	Greathouse.
Burns.	Griffith.
Butler.	Hankamer.
Camp.	Harman.
Canon.	Harris.
Cathey.	Harrison.
Chastain.	Hartzog.
Clayton.	Head.
Colson.	Hicks.
Cowley.	Hill.
Crossley.	Hodges.
Daniel.	Holland.
Davidson.	Hoskins.
Dean.	Huddleston.
Devall.	Hughes.
Dunlap.	Hunt.
Dunagan.	Hunter.

Hyder.	Puryear.
Jackson.	Ramsey.
James.	Ratliff.
Jefferson.	Ray.
Johnson	Reed of Bowie.
of Anderson.	Reed of Dallas.
Jones of Atascosa.	Renfro.
Jones of Runnels.	Riddle.
Jones of Shelby.	Roark.
Laird.	Roberts.
Lange.	Rollins.
Latham.	Russell.
Leonard.	Savage.
Lindsey.	Scarborough.
Long.	Shannon.
Lotief.	Smith.
Mackay.	Stanfield.
Magee.	Steward.
McCullough.	Stinson.
McDougald.	Stovall.
McKee.	Stubbeman.
Merritt.	Tarwater.
Metcalf.	Tennyson.
Mitcham.	Thomas.
Moffett.	Townsend.
Moore.	Turlington.
Morrison.	Van Zandt.
Morse.	Vaughan.
Munson.	Wagstaff.
Nicholson.	Walker.
Parkhouse.	Weinert.
Patterson.	Wells.
Pavlica.	Young.

Nays—3

Caven.	Lemens.
Kyle of Hays.	

Absent

Anderson.	Mathis.
Baker.	McGregor.
Beck.	Palmer.
Calvert.	Pope.
Celaya.	Reader.
Coombes.	Rogers of Hunt.
Fisher.	Rogers
Ford.	of Ochiltree.
Hester.	Scott.
Holekamp.	Shults.
Holloway.	Tillery.
Kayton.	Winningham.
Kyle of Palo Pinto.	Wood.

Absent—Excused

Bedford.	Johnson
Graves.	of Dimmit.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, February 9, 1934.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate

has adopted conference report on House Bill No. 6 by the following vote: Yeas, 25; nays, 3.

Respectfully,
BOB BARKER,
Secretary of the Senate.

BILL AND RESOLUTIONS SIGNED

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read, severally, the following enrolled bill and resolutions:

H. B. No. 6, "An Act amending Section 3, of Chapter 88, General Laws, Second Called Session of the Forty-first Legislature; providing for form of application for registration of motor vehicles; providing any owner of a vehicle previously registered in any State for the preceding current year, may, in lieu of filing an application, present license receipt and transfer receipts; providing for making of affidavit for application if owner has lost registration receipt or transfer; providing for annual registration of vehicles in use of the United States Government, State of Texas, county, or city thereof; providing for exemption of payment of license fees on said vehicles and school buses; providing for registration of new vehicles for unexpired portion of year; providing for temporary use of a new vehicle under a dealer's license number; defining 'motor vehicle registration year'; providing that application for license shall be made not later than April 1 of each year; amending Section 4, Chapter 88, General Laws of the Second Called Session, Forty-first Legislature; providing for proportionate payment for registration for a period less than one year, beginning with the motor registration year of 1934; providing the motor vehicle registration fees paid on or before January 31, 1934, shall be good to and including March 31, 1935; providing that all fees paid after January 31, 1934, and on or before April 1, 1934, shall be without penalty, and the license shall relate back to January 1, 1934, and shall be good to and including March 31, 1935, etc., and declaring an emergency."

S. C. R. No. 11, Granting the district judges of each of the several criminal district courts permission to leave the State.

S. C. R. No. 12, Relative to payment of appropriation to Valley Conservation and Reclamation District.

HOUSE BILL NO. 13 ON PASSAGE TO ENGROSSMENT

The House resumed consideration of pending business, same being House Bill No. 13, providing for the issuance of certain State bonds, on passage to engrossment,

The bill having heretofore been read second time, with motion by Mr. Dunagan to suspend Section 7 of Rule XX of the House Rules for the purpose of considering an amendment offered by Mr. Dunagan, pending.

Question recurring on the motion to suspend the rule, it prevailed.

Mr. Hartzog offered the following amendment to the amendment by Mr. Dunagan:

Amend amendment to House Bill No. 13 by adding a new section to read as follows:

"Provided, that all races, held under the auspices of any county or district fair association, shall not be subject to the payment of this tax where such fair associations are operated as a community enterprise and not for individual profit."

Mr. Dunagan moved to table the amendment by Mr. Hartzog.

The motion to table prevailed.

Mr. Camp offered the following amendment to the amendment:

Amend Dunagan amendment by striking out last two sentences of first paragraph, and insert the following: "The Comptroller of Public Accounts shall deposit 25% of the tax collected to the credit of the Available School Fund. One per cent of the balance of the tax collected to the credit of the Comptroller of Public Accounts to be used to administer the duties of said Comptroller under this section. The balance shall be deposited to the credit of the 'Texas Relief Bond Sinking Fund, Second Series,' by the State Treasurer. Said amounts so collected shall be in addition to the other funds herein provided for the retirement of the Relief Bonds under this Act."

CAMP,
DUNAGAN,
JAMES,
TENNYSON,
LOTIEF,
HUGHES,
ALEXANDER.

The amendment was adopted.

(Mr. Moore in the Chair.)

Mr. Hartzog offered the following amendment to the amendment:

Amend amendment to House Bill No. 13 by adding a new section to read as follows:

"Provided, that this tax shall not apply to any race held under the auspices of any county or district fair association located in a county of less than 30,000 inhabitants where such associations are operated as a community enterprise and not for individual profit, and where such association has made application to the State Racing Commission and receives such a permit."

Mr. Dunagan moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—92

Adamson.	Jones of Atascosa.
Aikin.	Jones of Runnels.
Alexander.	Kyle of Hays.
Alsup.	Laird.
Atchison.	Lange.
Barrett.	Latham.
Beck.	Lemens.
Bourne.	Lindsey.
Burns.	Long.
Camp.	Lotief.
Canon.	Magee.
Chastain.	McDougald.
Clayton.	Merritt.
Colson.	Mitcham.
Crossley.	Moffett.
Daniel.	Morrison.
Davidson.	Munson.
Dean.	Parkhouse.
Dunagan.	Patterson.
Duvall.	Puryear.
Dwyer.	Ramsey.
Engelhard.	Ratliff.
Fain.	Ray.
Fuchs.	Reed of Bowie.
Glass.	Reed of Dallas.
Golson.	Renfro.
Goodman.	Roark.
Greathouse.	Roberts.
Griffith.	Rogers of Hunt.
Hankamer.	Russell.
Harman.	Scarborough.
Harris.	Scott.
Harrison.	Shannon.
Head.	Smith.
Hill.	Stanfield.
Hodges.	Steward.
Holland.	Stinson.
Hughes.	Stovall.
Hunter.	Stubbeman.
Jackson.	Tarwater.
James.	Tennyson.
Johnson	Thomas.
of Anderson.	Tillery.

Townsend.
Turlington.
Van Zandt.
Vaughan.

Wagstaff.
Wells.
Wood.

Nays—18

Baker.	Jones of Shelby.
Butler.	Mackay.
Cathey.	McCullough.
Devall.	McKee.
Hartzog.	Rollins.
Hicks.	Savage.
Huddleston.	Walker.
Hyder.	Weinert.
Jefferson.	Young.

Present—Not Voting

Bergman.

Absent

Anderson.	Kayton.
Barron.	Kyle of Palo Pinto.
Bradley.	Leonard.
Calvert.	Mathis.
Caven.	McGregor.
Celaya.	Metcalfe.
Coombes.	Moore.
Cowley.	Morse.
Dunlap.	Nicholson.
Fisher.	Palmer.
Ford.	Pavlica.
Good.	Pope.
Hester.	Reader.
Holekamp.	Riddle.
Holloway.	Rogers
Hoskins.	of Ochiltree.
Hunt.	Shults.
Johnson	Winningham.
of Dimmit.	

Absent—Excused

Bedford.

Graves.

(Speaker in the Chair.)

Question then recurring on the amendment by Mr. Dunagan as amended, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—92

Adamson.	Butler.
Aikin.	Camp.
Alexander.	Canon.
Alsup.	Cathey.
Atchison.	Celaya.
Baker.	Chastain.
Barrett.	Colson.
Barron.	Crossley.
Beck.	Daniel.
Bergman.	Davidson.
Bourne.	Dean.
Burns.	Devall.

Dunagan.	Moffett.
Duvall.	Morrison.
Fain.	Parkhouse.
Fuchs.	Patterson.
Glass.	Puryear.
Golson.	Ray.
Goodman.	Reed of Bowie.
Griffith.	Reed of Dallas.
Hankamer.	Renfro.
Harman.	Riddle.
Harrison.	Roark.
Hartzog.	Roberts.
Head.	Rogers of Hunt.
Hodges.	Rollins.
Hughes.	Russell.
Hunt.	Scarborough.
Hunter.	Scott.
Hyder.	Shannon.
James.	Smith.
Johnson	Stanfield.
of Anderson.	Steward.
Jones of Shelby.	Stovall.
Kyle of Hays.	Stubbeman.
Laird.	Tarwater.
Latham.	Tennyson.
Lemens.	Thomas.
Leonard.	Tillery.
Long.	Turlington.
Lotief.	Vaughan.
Magee.	Wagstaff.
McCullough.	Walker.
McDougald.	Wells.
Merritt.	Wood.
Metcalfe.	Young.
Mitcham.	

Nays—23

Dwyer.	Mackay.
Engelhard.	McKee.
Greathouse.	Moore.
Harris.	Morse.
Hicks.	Munson.
Holland.	Pavlica.
Hoskins.	Ratliff.
Huddleston.	Savage.
Jackson.	Stinson.
Jones of Runnels.	Van Zandt.
Lange.	Weinert.
Lindsey.	

Present—Not Voting

Jones of Atascosa.

Absent

Anderson.	Hill.
Bradley.	Holekamp.
Calvert.	Holloway.
Caven.	Jefferson.
Clayton.	Kayton.
Coombes.	Kyle of Palo Pinto.
Cowley.	Mathis.
Dunlap.	McGregor.
Fisher.	Nicholson.
Ford.	Palmer.
Good.	Pope.
Hester.	Ramsey.

Reader.	Shults.
Rogers	Townsend.
of Ochiltree.	Winningham.

Absent—Excused

Bedford.	Johnson
Graves.	of Dimmit.

Mr. Camp moved to reconsider the vote by which the amendment was adopted, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Burns offered the following amendment to the bill:

Amend House Bill No. 13, page 16, line 25, by adding a new section to be numbered 19-a:

"Section 19-a. The Texas Relief Commission shall contract with the General Manager of the Texas Prison System for the purchase from the Prison System of shoes, clothing, food, and all other products produced and manufactured or that may be manufactured or produced by the Texas Prison System of the State of Texas, and the Texas Relief Commission is hereby directed to set aside a sufficient amount of money out of the proceeds of the sale of the bonds herein issued to carry out the provisions of this section."

BURNS,
CALVERT,
LONG.

Mr. Jones of Atascosa moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—66

Adamson.	Huddleston.
Alexander.	Hughes.
Alsup.	Hunt.
Atchison.	Hunter.
Cathey.	Hyder.
Chastain.	Jackson.
Crossley.	James.
Davidson.	Jefferson.
Dean.	Jones of Atascosa.
Dunagan.	Kayton.
Duvall.	Latham.
Dwyer.	Lemens.
Fain.	Lotief.
Golson.	Mackay.
Greathouse.	Magee.
Griffith.	Mathis.
Hankamer.	McCullough.
Harris.	McKee.
Hodges.	Metcalfe.
Holloway.	Moore.
Hoskins.	Parkhouse.

Patterson.	Steward.
Pavlica.	Stinson.
Ray.	Stubbeman.
Reed of Bowie.	Tarwater.
Reed of Dallas.	Tennyson.
Renfro.	Thomas.
Roark.	Tillery.
Rogers	Townsend.
of Ochiltree.	Van Zandt.
Rollins.	Wagstaff.
Shannon.	Walker.
Smith.	Young.
Stanfield.	

Nays—41

Aikin.	Jones of Runnels.
Baker.	Jones of Shelby.
Barrett.	Lange.
Barron.	Lindsey.
Bergman.	Long.
Bourne.	Merritt.
Burns.	Mitcham.
Canon.	Morrison.
Caven.	Munson.
Colson.	Puryear.
Cowley.	Ratliff.
Daniel.	Riddle.
Devall.	Roberts.
Fuchs.	Scarborough.
Glass.	Scott.
Goodman.	Stovall.
Head.	Turlington.
Hicks.	Vaughan.
Hill.	Weinert.
Johnson	Wells.
of Anderson.	Wood.

Absent

Anderson.	Holland.
Beck.	Kyle of Hays.
Bradley.	Kyle of Palo Pinto.
Butler.	Laird.
Calvert.	Leonard.
Camp.	McDougald.
Celaya.	McGregor.
Clayton.	Moffett.
Coombes.	Morse.
Dunlap.	Nicholson.
Engelhard.	Palmer.
Fisher.	Pope.
Ford.	Ramsey.
Good.	Reader.
Harman.	Rogers of Hunt.
Harrison.	Russell.
Hartzog.	Savage.
Hester.	Shults.
Holekamp.	Winningham.

Absent—Excused

Bedford.	Johnson
Graves.	of Dimmit.

Mr. Cathey offered the following amendment to the bill:

Amend House Bill No. 13, page 8, at the end of line 35, after the word "unemployed," add the following:

"Provided, that the Director of the Relief Commission of Texas shall not spend any part of the money obtained by the sale of said bonds to both husbands and wives, or wives who have husbands drawing salaries from the State of Texas, or United States Government, or sons or daughters living with their fathers or mothers drawing salaries from the State of Texas, or sons or daughters or nieces or nephews or cousins of County Relief Administrators; provided, however, that nothing in this Act shall be construed to mean to apply to any relatives working as relief workers at manual labor."

Mr. Long moved to table the amendment.

The roll of the House was called, and the vote announced, as follows:

Yeas—38

Atchison.	Mackay.
Bergman.	Moffett.
Bourne.	Moore.
Chastain.	Munson.
Dean.	Parkhouse.
Engelhard.	Patterson.
Fuchs.	Pavlica.
Golson.	Puryear.
Greathouse.	Ratliff.
Hankamer.	Reed of Dallas.
Hoskins.	Renfro.
Huddleston.	Riddle.
Hughes.	Rogers
Jackson.	of Ochiltree.
James.	Scarborough.
Jones of Runnels.	Steward.
Lemens.	Stovall.
Lindsey.	Stubbeman.
Long.	Van Zandt.
Lotief.	

Nays—42

Adamson.	Hunter.
Aikin.	Hyder.
Alsup.	Jefferson.
Baker.	Jones of Shelby.
Butler.	Kayton.
Canon.	Latham.
Cathey.	Magee.
Caven.	McCullough.
Colson.	McKee.
Cowley.	Mitcham.
Crossley.	Morrison.
Davidson.	Ray.
Dunagan.	Reed of Bowie.
Fain.	Roark.
Glass.	Rollins.
Goodman.	Tennyson.
Harris.	Thomas.
Hicks.	Turlington.
Hill.	Walker.
Hodges.	Wood.
Holloway.	Young.

Present—Not Voting

Devall.
Duvall.
Johnson
of Anderson.

Merritt.
Tillery.

Absent

Alexander.
Anderson.
Barrett.
Barron.
Beck.
Bradley.
Burns.
Calvert.
Camp.
Celaya.
Clayton.
Coombes.
Daniel.
Dunlap.
Dwyer.
Fisher.
Ford.
Good.
Griffith.
Harman.
Harrison.
Hartzog.
Head.
Hester.
Holekamp.
Holland.
Hunt.
Jones of Atascosa.
Kyle of Hays.
Kyle of Palo Pinto.

Laird.
Lange.
Leonard.
Mathis.
McDougald.
McGregor.
Metcalf.
Morse.
Nicholson.
Palmer.
Pope.
Ramsey.
Reader.
Roberts.
Rogers of Hunt.
Russell.
Savage.
Scott.
Shannon.
Shults.
Smith.
Stanfield.
Stinson.
Tarwater.
Townsend.
Vaughan.
Wagstaff.
Weinert.
Wells.
Winningham.

Absent—Excused

Bedford.
Graves.

Johnson
of Dimmit.

Mr. Chastain raised the point of order that there was not a quorum present.

The Speaker sustained the point of order.

ADJOURNMENT

Mr. Hoskins moved that the House adjourn until 9 o'clock a. m., tomorrow.

The motion was lost by the following vote:

Yeas—49

Adamson.
Baker.
Barrett.
Beck.
Bourne.
Camp.
Canon.
Cathey.
Crossley.
Davidson.
Dean.

Dwyer.
Engelhard.
Fain.
Fuchs.
Golson.
Goodman.
Hicks.
Hodges.
Holloway.
Hoskins.
Huddleston.

Hunt.
Hunter.
Jones of Atascosa.
Jones of Runnels.
Jones of Shelby.
Kayton.
Laird.
Lindsey.
Magee.
McCullough.
Mitcham.
Morrison.
Pavlica.
Purveyer.

Ratliff.
Ray.
Reed of Bowie.
Roberts.
Rogers
of Ochiltree.
Rollins.
Steward.
Stinson.
Stovall.
Tillery.
Turlington.
Wells.
Wood.

Nays—62

Aikin.
Alsup.
Atchison.
Barron.
Bergman.
Burns.
Butler.
Caven.
Chastain.
Clayton.
Colson.
Cowley.
Daniel.
Devall.
Dunlap.
Dunagan.
Duvall.
Glass.
Greathouse.
Griffith.
Hankamer.
Harman.
Harris.
Harrison.
Hill.
Hughes.
Hyder.
Jackson.
James.
Jefferson.
Johnson
of Anderson.

Kyle of Hays.
Latham.
Lemens.
Leonard.
Long.
Lotief.
Mackay.
McGregor.
McKee.
Merritt.
Moffett.
Moore.
Morse.
Munson.
Patterson.
Reed of Dallas.
Renfro.
Riddle.
Roark.
Scarborough.
Scott.
Stanfield.
Stubbeman.
Tennyson.
Thomas.
Townsend.
Van Zandt.
Vaughan.
Weinert.
Winningham.
Young.

Absent

Alexander.
Anderson.
Bradley.
Calvert.
Celaya.
Coombes.
Fisher.
Ford.
Good.
Hartzog.
Head.
Hester.
Holekamp.
Holland.
Kyle of Palo Pinto.
Lange.
Mathis.

McDougald.
Metcalf.
Nicholson.
Palmer.
Parkhouse.
Pope.
Ramsey.
Reader.
Rogers of Hunt.
Russell.
Savage.
Shannon.
Shults.
Smith.
Tarwater.
Wagstaff.
Walker.

Absent—Excused

Bedford. Johnson
Graves. of Dimmit.

Mr. Reed of Bowie moved that the House adjourn until 10 o'clock a. m., tomorrow.

Yeas and nays were demanded, and the motion was lost by the following vote:

Yeas—45

Adamson.	Kayton.
Alsup.	Laird.
Atchison.	Lindsey.
Baker.	Lotief.
Beck.	Magee.
Bourne.	McCullough.
Camp.	Mitcham.
Chastain.	Morrison.
Crossley.	Pavlica.
Davidson.	Puryear.
Dean.	Ratliff.
Dunagan.	Ray.
Fain.	Reed of Bowie.
Fuchs.	Riddle.
Golson.	Roberts.
Goodman.	Rollins.
Harris.	Steward.
Hodges.	Stovall.
Hoskins.	Tillery.
Huddleston.	Turlington.
Hunt.	Wells.
Jones of Runnels.	Wood.
Jones of Shelby.	

Nays—65

Aikin.	James.
Barrett.	Jefferson.
Barron.	Johnson
Bergman.	of Anderson.
Burns.	Jones of Atascosa.
Butler.	Kyle of Hays.
Canon.	Latham.
Cathey.	Lemens.
Caven.	Leonard.
Colson.	Long.
Cowley.	Mackay.
Daniel.	McGregor.
Devall.	McKee.
Dunlap.	Merritt.
Duvall.	Moffett.
Dwyer.	Moore.
Engelhard.	Morse.
Glass.	Munson.
Greathouse.	Parkhouse.
Griffith.	Patterson.
Hankamer.	Reed of Dallas.
Harman.	Renfro.
Hicks.	Roark.
Hill.	Rogers
Holloway.	of Ochiltree.
Hughes.	Scarborough.
Hunter.	Scott.
Hyder.	Stanfield.
Jackson.	Stinson.

Stubbeman.
Tennyson.
Thomas.
Townsend.
Van Zandt.

Vaughan.
Weinert.
Winningham.
Young.

Absent

Alexander.	Mathis.
Anderson.	McDougald.
Bradley.	Metcalf.
Calvert.	Nicholson.
Celaya.	Palmer.
Clayton.	Pope.
Coombes.	Ramsey.
Fisher.	Reader.
Ford.	Rogers of Hunt.
Good.	Russell.
Harrison.	Savage.
Hartzog.	Shannon.
Head.	Shults.
Hester.	Smith.
Holekamp.	Tarwater.
Holland.	Wagstaff.
Kyle of Palo Pinto.	Walker.
Lange.	

Absent—Excused

Bedford. Johnson
Graves. of Dimmit.

Mr. Van Zandt moved that the House adjourn until 10 o'clock a. m., next Monday.

The motion prevailed.

The House, accordingly, at 4:50 o'clock p. m., adjourned until 10 o'clock a. m., next Monday.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills and resolutions, as follows:

Banks and Banking: House Concurrent Resolution No. 12.

Revenue and Taxation: House Bills Nos. 22, 23, and 31.

State Affairs: House Bills Nos. 28 and 33.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,
Austin, Texas, February 9, 1934.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 19, Inviting the Hon. Deloss Walker, Director of the National Recovery Campaign, to address

a Joint Session of the House and Senate,

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,
Austin, Texas, February 9, 1934.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 6, "An Act amending Section 3 of Chapter 88, General Laws, Second Called Session of the Forty-first Legislature; providing for form of application for registration of motor vehicles; providing any owner of a vehicle previously registered in any State for the preceding or current year may, in lieu of filing an application, present license receipt and transfer receipt; providing for making of affidavit for application if owner has lost registration receipt or transfer; providing for annual registration of vehicles in use of the United States Government, State of Texas, county or city thereof; providing for exemption of payment of license fees on said vehicles and school buses; providing for registration of new vehicles for unexpired portion of year; providing for temporary use of a new vehicle under a dealer's license number; defining 'motor vehicle registration year'; providing that application for license shall be made not later than April 1st of each year; amending Section 4, Chapter 88, General Laws of the Second Called Session, Forty-first Legislature; providing for proportionate payment for registration for a period less than one year, beginning with the motor registration year of 1934; providing the motor vehicle registration fees paid on or before January 31, 1934, shall be good to and including March 31, 1935; providing that all fees paid after January 31, 1934, and on or before April 1, 1934, shall be without penalty and the license shall relate back to January 1, 1934, and shall be good to and including March 31, 1935, providing that tax collectors and other officials who have collected or hold penalties on registration or license fees paid after January 31, 1934, are authorized and instructed to refund same if application therefor and refund is made by March 15, 1934, and requiring such officials to

make reports of such refunds; providing that compliance by any person entitled to the benefits of this Act with its terms may be proved as a defense to prosecution for any act committed on or before April 1, 1934, which would otherwise be unlawful under Sections 14-b, 14-d or 14-e of Chapter 88, General Laws of the Second Called Session, Forty-first Legislature; repealing from and after April 1, 1934, Sections 14-a, 14-b, 14-c, 14-d and 14-e of Chapter 88 of the General Laws of the Second Called Session, Forty-first Legislature; and saving all convictions and prosecutions for violations of said sections committed before April 1, 1934, in full force and effect; making it a misdemeanor for any person to operate a passenger car, commercial motor vehicle or truck-tractor on public highways during any month of motor vehicle registration year without having attached to and displayed thereon two license number plates, on rear and on front, lawfully assigned for said vehicle for that current year; providing this provision shall not apply to dealers operating vehicles under present provisions of the law; providing any person agreeing with a commissioners court or any officer or agent of any county that he will register any motor vehicle in said county in consideration of the use of funds so collected for the purchase of any property or in consideration of any other act by said court or county officer shall be guilty of bribery and subject to the same penalties as now provided by law for the offense of bribery; providing the registration of each vehicle shall constitute a separate offense and the agreement and/or conspiracy to register shall constitute a separate offense; providing that persons, firms or corporations making such agreement may be restrained by injunction; and making it a misdemeanor for any person to operate a road-tractor, motorcycle, trailer, or semi-trailer on the public highways during any month of a motor vehicle registration year without having attached to and displayed on rear thereof a license number plate lawfully assigned therefor for that current year; and making it a misdemeanor for any person to operate any motor vehicle trailer or semi-trailer on the highways on or after April first of any motor vehicle registration year with license plate or plates for any

preceding year attached or displayed; and providing a fine in any sum not exceeding two hundred dollars (\$200) for conviction of any one of such misdemeanors, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

EIGHTH DAY

(Monday, February 12, 1934)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following Members were present:

Mr. Speaker.	Hartzog.
Adamson.	Head.
Aikin.	Hester.
Alexander.	Hicks.
Alsup.	Hill.
Anderson.	Hodges.
Atchison.	Holekamp.
Baker.	Holland.
Barrett.	Holloway.
Barron.	Hoskins.
Beck.	Huddleston.
Bergman.	Hughes.
Bourne.	Hunt.
Burns.	Hunter.
Butler.	Hyder.
Camp.	Jackson.
Canon.	James.
Cathey.	Jefferson.
Caven.	Johnson
Chastain.	of Anderson.
Clayton.	Jones of Atascosa.
Colson.	Jones of Runnels.
Coombes.	Jones of Shelby.
Cowley.	Kayton.
Crossley.	Kyle of Hays.
Daniel.	Kyle of Palo Pinto.
Davidson.	Laird.
Dean.	Lange.
Devall.	Latham.
Dunlap.	Lemens.
Dunagan.	Lindsey.
Duvall.	Long.
Dwyer.	Lotief.
Engelhard.	Mackay.
Fain.	Magee.
Fisher.	Mathis.
Ford.	McCullough.
Fuchs.	McGregor.
Glass.	McKee.
Good.	Merritt.
Goodman.	Metcalfe.
Greathouse.	Mitcham.
Griffith.	Moffett.
Hankamer.	Moore.
Harman.	Morrison.

Morse.	Scarborough.
Munson.	Scott.
Nicholson.	Shannon.
Parkhouse.	Stanfield.
Patterson.	Steward.
Pavlica.	Stinson.
Pope.	Stovall.
Puryear.	Stubbeman.
Ramsey.	Tarwater.
Ray.	Tennyson.
Reed of Bowie.	Thomas.
Reed of Dallas.	Tillery.
Renfro.	Turlington.
Riddle.	Van Zandt.
Roark.	Vaughan.
Roberts.	Walker.
Rogers of Hunt.	Wells.
Rogers	Winningham.
of Ochiltree.	Wood.
Rollins.	Young.
Russell.	

Absent

Celaya.	Smith.
Harrison.	

Absent—Excused

Bedford.	McDougald.
Bradley.	Palmer.
Calvert.	Ratliff.
Golson.	Reader.
Graves.	Savage.
Harris.	Shults.
Johnson	Townsend.
of Dimmit.	Wagstaff.
Leonard.	Weinert.

A quorum was announced present.
Prayer was offered by Rev. Geo. W. Coltrin, Chaplain.

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Reader for today and tomorrow, on motion of Mr. Kayton.

Mr. Townsend for today and tomorrow, on motion of Mr. Kayton.

Mr. Leonard for today, on motion of Mr. Glass.

Mr. Shults for today, on motion of Mr. Puryear.

Mr. Savage for today, on motion of Mr. Shannon.

Mr. Wagstaff for today, on motion of Mr. Aikin.

Mr. McDougald for today, on motion of Mr. Parkhouse.

Mr. Graves for today, on motion of Mr. Camp.

Mr. Calvert for today, on motion of Mr. Stinson.

Mr. Harris for today, on motion of Mr. Chastain.